



Rep. Frank J. Mautino

Filed: 3/13/2014

09800HB3798ham001

LRB098 15355 OMW 56730 a

1 AMENDMENT TO HOUSE BILL 3798

2 AMENDMENT NO. _____. Amend House Bill 3798 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Open Meetings Act is amended by changing
5 Sections 2.01 and 7 as follows:

6 (5 ILCS 120/2.01) (from Ch. 102, par. 42.01)

7 Sec. 2.01. All meetings required by this Act to be public
8 shall be held at specified times and places which are
9 convenient and open to the public. No meeting required by this
10 Act to be public shall be held on a legal holiday unless the
11 regular meeting day falls on that holiday.

12 A quorum of members of a public body must be physically
13 present at the location of an open meeting. If, however, an
14 open meeting of a public body (i) with statewide jurisdiction,
15 (ii) that is an Illinois library system with jurisdiction over
16 a specific geographic area of more than 4,500 square miles, ~~or~~

1 (iii) that is a municipal transit district with jurisdiction
2 over a specific geographic area of more than 4,500 square
3 miles, or (iv) that is a local workforce investment area with
4 jurisdiction over a specific geographic area of more than 4,500
5 square miles is held simultaneously at one of its offices and
6 one or more other locations in a public building, which may
7 include other of its offices, through an interactive video
8 conference and the public body provides public notice and
9 public access as required under this Act for all locations,
10 then members physically present in those locations all count
11 towards determining a quorum. "Public building", as used in
12 this Section, means any building or portion thereof owned or
13 leased by any public body. The requirement that a quorum be
14 physically present at the location of an open meeting shall not
15 apply, however, to State advisory boards or bodies that do not
16 have authority to make binding recommendations or
17 determinations or to take any other substantive action.

18 A quorum of members of a public body that is not (i) a
19 public body with statewide jurisdiction, (ii) an Illinois
20 library system with jurisdiction over a specific geographic
21 area of more than 4,500 square miles, ~~or~~ (iii) a municipal
22 transit district with jurisdiction over a specific geographic
23 area of more than 4,500 square miles, or (iv) a local workforce
24 investment area with jurisdiction over a specific geographic
25 area of more than 4,500 square miles must be physically present
26 at the location of a closed meeting. Other members who are not

1 physically present at a closed meeting of such a public body
2 may participate in the meeting by means of a video or audio
3 conference. For the purposes of this Section, "local workforce
4 investment area" means any local workforce investment area or
5 areas designated by the Governor pursuant to the federal
6 Workforce Investment Act of 1998 or its reauthorizing
7 legislation.

8 (Source: P.A. 96-664, eff. 8-25-09; 96-1043, eff. 1-1-11.)".

9 (5 ILCS 120/7)

10 Sec. 7. Attendance by a means other than physical presence.

11 (a) If a quorum of the members of the public body is
12 physically present as required by Section 2.01, a majority of
13 the public body may allow a member of that body to attend the
14 meeting by other means if the member is prevented from
15 physically attending because of: (i) personal illness or
16 disability; (ii) employment purposes or the business of the
17 public body; or (iii) a family or other emergency. "Other
18 means" is by video or audio conference.

19 (b) If a member wishes to attend a meeting by other means,
20 the member must notify the recording secretary or clerk of the
21 public body before the meeting unless advance notice is
22 impractical.

23 (c) A majority of the public body may allow a member to
24 attend a meeting by other means only in accordance with and to
25 the extent allowed by rules adopted by the public body. The

1 rules must conform to the requirements and restrictions of this
2 Section, may further limit the extent to which attendance by
3 other means is allowed, and may provide for the giving of
4 additional notice to the public or further facilitate public
5 access to meetings.

6 (d) The limitations of this Section shall not apply to (i)
7 closed meetings of (A) public bodies with statewide
8 jurisdiction, (B) Illinois library systems with jurisdiction
9 over a specific geographic area of more than 4,500 square
10 miles, ~~or~~ (C) municipal transit districts with jurisdiction
11 over a specific geographic area of more than 4,500 square
12 miles, or (D) local workforce investment areas with
13 jurisdiction over a specific geographic area of more than 4,500
14 square miles or (ii) open or closed meetings of State advisory
15 boards or bodies that do not have authority to make binding
16 recommendations or determinations or to take any other
17 substantive action. State advisory boards or bodies, public
18 bodies with statewide jurisdiction, Illinois library systems
19 with jurisdiction over a specific geographic area of more than
20 4,500 square miles, ~~and~~ municipal transit districts with
21 jurisdiction over a specific geographic area of more than 4,500
22 square miles, and local workforce investment areas with
23 jurisdiction over a specific geographic area of more than 4,500
24 square miles, however, may permit members to attend meetings by
25 other means only in accordance with and to the extent allowed
26 by specific procedural rules adopted by the body. For the

1 purposes of this Section, "local workforce investment area"
2 means any local workforce investment area or areas designated
3 by the Governor pursuant to the federal Workforce Investment
4 Act of 1998 or its reauthorizing legislation.

5 (Source: P.A. 96-664, eff. 8-25-09; 96-1043, eff. 1-1-11.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law."